GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Allegation of irregularities in execution of work " Road from Thondangi to T.Venkatapuram of Thondangi Mandal of erstwhile East Godavari District Disciplinary proceedings against Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 743 **Dated: 03 .11.2023.**
Read the following :

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ORDER:

It is proposed to hold an inquiry against Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).Copied of documents are furnished herwith.

3. Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada Districtis directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He, should, therefore, specifically admit or deny each article of charge.

5. Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N.Nageswara Rao, AEE, PIUSD, Kathipudi and presently working as MEO,MPP, Prathipadu, Kakinada District) **through** Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve the charges on the individual and furnish a served copy to Govt.,)

Copy to:

The Secretary to VC, Andhra Pradesh Vigilance Commission, A.P., Velagapudi
The OSD to Hon'ble Dy. C.M for PR&RD,
The PS to Spl. CS to Govt,. PR&RD. Dept.,
The PR&RD (Estt.I) Department.
SF/SC.

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI N.NAGESWARA RAO, A.E.E., PIU SUB-DIVISION, KATHIPUDI AND PRESENTLY WORKING AS MEO, MPP, PRATHIPADU, KAKINADA DIST..

Charge:

That Sri N.Nageswara Rao, A.E.E., PIU Sub-division, Kathipudi and presently working as MEO, MPP, Prathipadu, Kakinada Dist. while working as A.E.E., PIU Sub-division, Kathipudi, erstwhile East Godavari Dist. has executed and recorded substandard quality of concrete work i.e. abutment and deck slab of bridge at KM 2/180 in violation of IS 456:2000 in the work "Road from Thondangi to T.Venkatapuram of Thondangi Mandal of erstwhile East Godavari District" taken up by Panchayat Raj Department under A.P. Disaster Recovery Project Grant, thereby misusing the Government funds and resulting in loss caused to the Government exchequer.

By his above mentioned act, Sri N.Nageswara Rao, A.E.E., PIU Sub-division, Kathipudi and presently working as MEO, MPP, Prathipadu, Kakinada Dist. has failed to discharge his legitimate duties, exhibited lack of devotion to duty, lack of integrity and behaved in a manner unbecoming of a Government servant and thereby contravened Rule 3(1) and 3(2) of APCS (Conduct) Rules 1964.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI N.NAGESWARA RAO, A.E.E., PIU SUB-DIVISION, KATHIPUDI AND PRESENTLY WORKING AS MEO, MPP, PRATHIPADU, KAKINADA DIST.

Basis:

In the Vigilance Report 38(C.No.1947/V&E/Engg/2018-1), dt.19.10.2022, the Director General, G.A. (V&E) Dept. has informed that the Vigilance and Enforcement Department verified the work viz. "Road from Thondangi to T.Venkatapuram of Thondangi Mandal of erstwhile East Godavari District" taken up by Panchayat Raj Department under A.P. Disaster Recovery Project Grant. The verification details are as follows:

The V&E officials inspected the said road work in the presence of the concerned field engineers.

The main components of the road work were:

a) Wet mix macadam of 0.15 m thick
b) CC road with M30 grade of concrete in village portion with 0.20 m thickness
c) Laying BT with SDBC using 4.5% of bitumen content.
d) Slab culverts: 2 vents of 8.00 m, 1 vent of 5.00 m, 2 vents of 6.00 m.

(Continued on Page.4)

Physical measurements of BT and CC road were verified and found to have been tallied with the recorded measurements in M.Books (copies of field observation sheets are enclosed as Annexure-A6)

Bitumen samples were collected from the BT road in the presence of field engineers and the representative of contracting agency. BT extraction test were conducted at R&B Department Quality Control Lab, Rajamahendravaram. Field observations, deficiencies observed and recoveries proposed are as follows:

Sl. No.	Reach inspected	Specifications as per agreement	Observed in the field	Quality of work	Total recovery proposed (in Rs.)
1	L/S @ 1/250 R/S @ 1/780	WMM thickness-0.15M SDBC thickness-0.025M BT content in SDBC-4.5%	WMM thickness-0.20 M SDBC thickness-0.031 M BT content in SDBC-4.11%	Satisfactory Satisfactory Shortfall 8.67%	60,680
2	L/S @ 3/250 R/S @ 3/820	WMM thickness-0.15M SDBC thickness-0.025M BT content in SDBC-4.5%	WMM thickness-0.16 M SDBC thickness-0.035 M BT content in SDBC-4.15%	Satisfactory Satisfactory Shortfall 7.78%	47,760
3	L/S @ 5/370 R/S @ 5/750	WMM thickness-0.15M SDBC thickness-0.025M BT content in SDBC-4.5%	WMM thickness-0.15 M SDBC thickness-0.031 M BT content in SDBC-4.14%	Satisfactory Satisfactory Shortfall 8.00%	56,058
Total					1,64,498 /-

Deficiency in BT content was found from the test results and the same were within permissible limits. Hence recovery towards deficiency in BT count was proposed for an amount of Rs.1,64,498/- (2X82,249/-) at twice the agreement rate as per Circular Memo No.12582/Vig.1/1/2005-1, dt.17.10.2006 of E.in.C, R&B Dept., Hyderabad.

The filed staff conducted quality control test i.e. impact value test of metal, sieve analysis of 20mm metal, flakiness index of coarse aggregate, fineness modulus of sand, silt content of sand, bulking of sand, slump test of concrete and compressive strength of CC cubes. The TPQA (third party quality audit) agency "LEA and JV with Crux Consultants Pvt. Ltd." conducted third party quality audit with required Q.C. test.

As per clause 17.4.3 of IS 456:2000, concrete in the member represented by a core test shall be considered acceptable if the average equivalent cube strength of the cores is equal to at lest 85 percent of the cube strength of the grade of concrete specified for the corresponding age and no individual core has a strength less than 75 % percent.

(Continued on Page.5)

Sl. No.	Grade of concrete	Permissible average equivalent cube compressive strength limits in N/mm^2	
		Individual strength	Average strength
1	M20	15.00	17.00
2	M25	18.75	21.25
3	M30	22.50	25.50
4	M15	11.25	12.75

Cement concrete cores were extracted from hardened concrete of different components viz. bridge abutment, deck slab, CC road, drain wall by engaging the 3rd party agency KDM Engineers (India) Pvt. Ltd., Visakhapatnam and tested in the presence of field officers and the agency respectively.

Details of the test results were as follows:

Sl. No.	Core Id	Location of the core extracted	Grade of concrete	Compressive strength in N/mm^2		Remarks
				Achieved	Required	
I	Abutment of bridge @ KM 2/180					
1	Abt 1	Abutment 20@ KM 2/180	M20	7.6	15.0	Failed
2	Abt 2	Abutment 20@ KM 2/180	M20	3.9	15.0	Failed
3	Abt 3	Abutment 20@ KM 2/180	M20	6.2	15.0	Failed
		Average		**5.9**	**17.0**	**Failed**
II	Bridge deck slab @ KM 2/180					
4	L/s	Slab @ KM 2/180	M25	23.8	18.75	Satisfactory
5	Centre	Slab @ KM 2/180	M25	20.5	18.75	Satisfactory
6	Slab	Slab @ KM 2/180	M25	16.0	18.75	Failed
		Average		**20.1**	**21.25**	**Failed**
III	CC Road					
7	CCR	@ KM 2/261 LHS	M30	27.1	22.5	Satisfactory
8	CCR	@ KM 2/306 Centre	M30	28.3	22.5	Satisfactory
9	CCR	@ KM 2/336/ RHS	M30	30.8	22.5	Satisfactory
		Average		**28.8**	**25.5**	**Satisfactory**
IV	L/s Drain wall					
10	D-LS	@ KM 6/465	M15	6.3	11.25	Failed
11	D-LS	@ KM 6/598	M15	3.4	11.25	Failed
12	D-LS	@ KM 6/646	M15	5.3	11.25	Failed
		Average		**5.0**	**12.75**	**Failed**

(Continued on Page.6)

The above core test results revealed that;

(i) concrete cores extracted from abutment of bridge @ KM 2/180 failed to achieve both the individual core strength @ 75% and average equivalent cube compressive strength required for the specified grade of concrete of M20 grade as per IS 456:2000. Hence, the abutment of bridge @ KM 2/180 was found to be liable for rejection and the value of rejection was arrived at Rs.2,62,652/-. The abutment of 2 vents 8.0m span high level bridge @ KM 2/180 was recorded in the M.Book by the field staff but not recommended for payment till date. Therefore the abutment of bridge @ KM 2/180 should be re-laid at the cost and risk of the agency or an amount of Rs.2,62,652/- should be recovered from the agency in case payment is to be made to the agency.

(ii) Out of the three cc cores extracted from deck slab of bridge @ KM 2/180, two cores satisfied the individual core strength requirements but failed to achieve average equivalent cube compressive strength required for specified grade of concrete of M25 grade as per IS 456:2000. Hence, the deck slab of bridge @ KM 2/180 was found to be liable for rejection and the value of the rejection was arrived at Rs.4,68,323/-. The deck slab of bridge @ KM 2/190 was recorded in the M.Book by the field staff but not recommended for payment till date. Therefore, the deck slab of bridge @ KM 2/180 should be re-laid at the cost and risk of the agency or an amount of Rs.4,68,323/- should be recovered from the agency in case payment is to be made to the agency.

(iii) The CC cores extracted from the CC road @ KM 2/261 satisfied both the individual core strength (@ 75%) and average equivalent cube compressive strength required for specified grade of concrete for M30 grade as per IS 456:2000.

(iv) The CC cores extracted from L/s drain wall @ KM 6/465 failed to achieve both the individual core strength (@75%) and average equivalent cube compressive strength required for specified grade of concrete for M15 grade as per IS 456:2000. Hence, the L/s drain wall @ KM 5/465 was found to be liable for rejection. Hence, an amount of Rs.2,48,640/- is proposed to be recovered from the agency towards value of rejected portion of drain which was paid to the agency.

Part bills payments were recommended after the work was duly checkmeasured by field officers as per rules in vogue. Necessary recoveries such as seigniorage, VAT and labour cess were deducted from the work bills. As of now, the work is incomplete and not in progress. The value of work done was Rs.2,94,67,004/- as per the IVth& part bill paid to the contractor vide M.Book No.550A/2010-11.

The agency "LEA in JV with Crux Consultants Pvt. Ltd" was the TPQA and conducted quality control test of impact value of metal, sieve analysis of 20mm metal, flakiness index of coarse aggregate, fineness modulus of sand, silt content of sand, bulking of sand, slump test of concrete and compressive strength of CC cubes. The TPQA reported that CC samples attaining the required strength parameters of specified grade concrete as per IS 456:2000.

(Continued on Page.7)

The E.E., Dy.E.E. and A.E.Es. gave identical statements regarding the failure of CC cores extracted from abutment of bridge at KM 2/180 and CC drain wall L/s @ KM 6/465 and stated that this might be due to insufficient curing of concrete during the execution of work. These officers also submitted it would be noted for future guidance and for improving the curing for rest of the works.

The aforesaid officers themselves admitted that deficiency in strength of abutment of bridge @ 2/180 km and CC drain wall L/s @ 6/465 km might be due to insufficient curing. It is the duty of the field officers to ensure that the work is executed as per the specifications. The CC cores failed to satisfy the strength requirements of the specified grade of concrete as per IS 456:2000. Hence, their version is not acceptable.

Thus, Sri N.Nageswara Rao, the then A.E.E., PIU Sub-division, Kathipudi and presently working as MEO, MPP, Prathipadu, Kakinada Dist. has failed to discharge his legitimate duties, exhibited lack of devotion to duty, lack of integrity and behaved in a manner unbecoming of a Government servant and thereby contravened Rule 3(1) and 3(2) of APCS (Conduct) Rules 1964 and failed to follow the departmental procedure and resulting in loss caused to the Government exchequer.

Hence, the charge.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI N.NAGESWARA RAO, A.E.E., PIU SUB-DIVISION, KATHIPUDI AND PRESENTLY WORKING AS MEO, MPP, PRATHIPADU, KAKINADA DIST. ARE PROPOSED TO BE SUSTAINED

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Vigilance Report 38(C.No.1947/V&E/Engg/2018-1), dt.19.10.2022 of the Director-General,Genl.Admn. (Vigilance& Enforcement) Dept.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI N.NAGESWARA RAO, A.E.E., PIU SUB-DIVISION, KATHIPUDI AND PRESENTLY WORKING AS MEO, MPP, PRATHIPADU, KAKINADA DIST. ARE PROPOSED TO BE SUSTAINED

- NIL -

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER